

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

DESJARLAIS *et al.*

Serial No. 10/611,399

Filed: July 1, 2003

For: *Dominant Negative Proteins
And Methods Thereof*

Examiner: EMCH, Gregory S.

Art Unit: 1649 Conf. No.: 1891

CERTIFICATE OF ELECTRONIC TRANSMISSION
UNDER 37 C.F.R. 1.8

I hereby certify that this correspondence, including listed enclosures, is being electronically transmitted in Portable Document Form (PDF) through EFS-Web via Hyper Text Transfer Protocol to the United States Patent and Trademark Office on:

Dated: June 3, 2008

Signed: Monica E. Carlos
Monica E. Carlos

REQUEST FOR REFUND OF OVERPAYMENT OF FEES

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicants for the above-referenced pending application have Small Entity status. On March 26, 2008, Applicants submitted a Terminal Disclaimer for a total Small Entity fee of \$195.00 (for one document disclaiming three (3) applications) pursuant to the fee requirements of 37 C.F.R. 1.321(a) as provided for in 37 C.F.R. §1.20(d).

Applicants have since determined the actual small entity fee due for the Terminal Disclaimer document submitted on March 26, 2008 should have been \$65.00 total for one Terminal Disclaimer document; not \$195 (\$65 per application being disclaimed within the Terminal Disclaimer document).

Applicants, therefore, respectfully request a refund be issued in the amount of \$130.00 (\$195.00 minus \$65.00) for the March 26, 2008 Terminal Disclaimer submission and credited to Deposit Account 50-0310 (Docket No.: 67461-5097US01). A copy of Applicants' fee payment on March 26, 2008 is enclosed.

While Applicants believe that no other fees are due at this time, the Commissioner is authorized to charge any fees, including extension fees or any other relief that may be required, in connection with this reply to Deposit Account 50-0310 (Client Matter No. 067461-5097US01.)

Serial No.: 10/611,399
Filed: July 1, 2003

The undersigned is an attorney or agent of record. Please direct any calls in connection with this application to the undersigned at (415) 442-1000.

MORGAN, LEWIS & BOCKIUS LLP

Dated: June 3, 2008

Customer No.: 67374
Morgan, Lewis & Bockius LLP
One Market, Spear Street Tower
San Francisco, CA 94105
Telephone: (415) 442-1000
Facsimile: (415) 442-1001

By: David C. Foster

David C. Foster, Reg. No. 44,685, for
Robin M. Silva, Reg. No. 38,304

Attorney of Record for Applicant

Filed Under 37 C.F.R. 1.34

Electronic Patent Application Fee Transmittal

Application Number:	10611399			
Filing Date:	01-Jul-2003			
Title of Invention:	Dominant negative proteins and methods thereof			
First Named Inventor/Applicant Name:	John R. Desjarlais			
Filer:	Robin M. Silva/Monica Carlos			
Attorney Docket Number:	067461-5097-US01			
Filed as Small Entity				
Utility Filing Fees				
Description	Fee Code	Quantity	Amount	Sub-Total in USD(\$)
Basic Filing:				
Pages:				
Claims:				
Miscellaneous-Filing:				
Petition:				
Patent-Appeals-and-Interference:				
Post-Allowance-and-Post-Issuance:				
Statutory disclaimer	2814	3	65	195
Extension-of-Time:				

Description	Fee Code	Quantity	Amount	Sub-Total in USD(\$)
Extension - 3 months with \$0 paid	2253	1	525	525
Miscellaneous:				
Total in USD (\$)				720